

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

Nakia Henderson
Debtor(s)

Bankruptcy Case No.: 19-24857-CMB
Per March 2, 2020 Proceeding
Chapter: 13
Docket No.: 28 - 21
Concil. Conf.: June 25, 2020 at 01:30 PM

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

(1.) PLAN CONFIRMATION:

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated January 31, 2020 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☐ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$ as of . Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☒ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on Jun. 25, 2020 at 01:30 PM, in 3251 U.S. Steel Tower, 600 Grant Street, Pittsburgh, PA 15219.*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☒ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: IRS (CI #8) at statutory rate .
- ☒ H. Additional Terms: Attorney fee based on retainer of \$700.

(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

A. Objections to the Plan. Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

B. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

C. Review of Claims Docket and Objections to Claims. Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

D. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

E. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

A. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

B. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.


Carlota M. Böhm, Judge
United States Bankruptcy Court

Dated: March 5, 2020

cc: All Parties in Interest to be served by Clerk in seven (7) days

Certificate of Notice Page 4 of 5
 United States Bankruptcy Court
 Western District of Pennsylvania

In re:
 Nakia Henderson
 Debtor

Case No. 19-24857-CMB
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2

User: gamr
 Form ID: 149

Page 1 of 2
 Total Noticed: 27

Date Rcvd: Mar 05, 2020

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Mar 07, 2020.

db
 15174151 +Nakia Henderson, 540 Clawson Street, Pittsburgh, PA 15208-1860
 ++BANK OF AMERICA, PO BOX 982238, EL PASO TX 79998-2238
 (address filed with court: Bank of America, Attn: Bankruptcy, Po Box 982238, El Paso, TX 79998)
 15174152 Beaver Avenue Fcu/ba, 2102 Beaver Ave, Pittsburgh, PA 15233
 15174154 +Conduent Education Services, Attn: Claims, Po Box 7051, Utica, NY 13504-7051
 15204702 +Deutsche Bank National Trust Co. Trustee (See 410), c/o Specialized Loan Servicing LLC, 8742 Lucent Blvd, Suite 300, Highlands Ranch, Colorado 80129-2386
 15193084 +Deutsche Bank National Trust Company, 8742 Lucent Blvd, Suite 300, Littleton, CO 80129-2386
 15181946 +Nelnet on behalf of ASA, American Student Assistance, PO Box 16129, St. Paul, MN 55116-0129
 15174157 +Omega Federal Cr Un, 206 Seibert Rd., Pittsburgh, PA 15237-3700
 15174158 +Omega Federal Credit, 429 Forbes Avenue, Pittsburgh, PA 15219-1622
 15174159 ++PNC BANK, 500 FIRST AVE P7-PFSC-02-F, PITTSBURGH PA 15219-3129
 (address filed with court: PNC, Attn: Bankruptcy, 500 First Ave P7-Pfsc-02-F, Pittsburg, PA 15219)
 15193091 +Specialized Loan Servicing, 8742 Lucent Blvd, Suite 300, Littleton, CO 80129-2386
 15195815 UPMC Health Services, PO Box 1123, Minneapolis, MN 55440-1123
 15195814 UPMC Physician Services, PO Box 1123, Minneapolis, MN 55440-1123
 15174161 +Utility Self-reported, Po Box 4500, Allen, TX 75013-1311

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

cr
 +E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Mar 06 2020 03:05:23
 PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
 15174153 +E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Mar 06 2020 03:05:14 Capital One,
 Attn: Bankruptcy, Po Box 30285, Salt Lake City, UT 84130-0285
 15183398 E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Mar 06 2020 03:04:30
 Capital One Bank (USA), N.A., by American InfoSource as agent, PO Box 71083, Charlotte, NC 28272-1083
 15174155 E-mail/Text: mrdiscen@discover.com Mar 06 2020 03:00:09 Discover Financial,
 Attn: Bankruptcy Department, Po Box 15316, Wilmington, DE 19850
 15175653 E-mail/Text: mrdiscen@discover.com Mar 06 2020 03:00:09 Discover Bank,
 Discover Products Inc, PO Box 3025, New Albany, OH 43054-3025
 15203267 +E-mail/Text: kburkley@bernsteinlaw.com Mar 06 2020 03:01:01 Duquesne Light Company,
 c/o Bernstein-Burkley, P.C., 707 Grant St., Suite 2200, Gulf Tower, Pittsburgh, PA 15219-1945
 15193086 +E-mail/Text: sbse.cio.bnc.mail@irs.gov Mar 06 2020 03:00:14 Internal Revenue Service,
 1000 Liberty Avenue, Room 711B, Pittsburgh, PA 15222-4107
 15174156 +E-mail/Text: electronicbkydocs@nelnet.net Mar 06 2020 03:00:40 Nelnet,
 Attn: Bankruptcy Claims, Po Box 82505, Lincoln, NE 68501-2505
 15174417 +E-mail/PDF: gecsedirecoverycorp.com Mar 06 2020 03:05:07 Synchrony Bank,
 c/o of PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
 15174160 +E-mail/Text: documentfiling@lciinc.com Mar 06 2020 03:00:05 Telecom Self-reported,
 Po Box 4500, Allen, TX 75013-1311
 15193093 +E-mail/Text: BankruptcyNotice@upmc.edu Mar 06 2020 03:00:54 UPMC, 200 Lothrop Street,
 Pittsburgh, PA 15213-2536
 15174162 +E-mail/Text: wfmelectronicbankruptcynotifications@verizonwireless.com Mar 06 2020 03:00:03
 Verizon, Verizon Wireless Bk Admin, 500 Technology Dr Ste 550, Weldon Springs, MO 63304-2225
 15203003 E-mail/PDF: EBN_AIS@AMERICANINFOSOURCE.COM Mar 06 2020 03:04:04 Verizon,
 by American InfoSource as agent, PO Box 4457, Houston, TX 77210-4457

TOTAL: 13

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr Deutsche Bank National trust Company, as Trustee f
 cr* +Duquesne Light Company, c/o Bernstein-Burkley, P.C.,
 707 Grant Street, Suite 2200, Gulf Tower, Pittsburgh, PA 15219-1945
 15193080* ++BANK OF AMERICA, PO BOX 982238, EL PASO TX 79998-2238
 (address filed with court: Bank of America, Attn: Bankruptcy, Po Box 982238, El Paso, TX 79998)
 15193081* Beaver Avenue Fcu/ba, 2102 Beaver Ave, Pittsburgh, PA 15233
 15193082* +Capital One, Attn: Bankruptcy, Po Box 30285, Salt Lake City, UT 84130-0285
 15193083* +Conduent Education Services, Attn: Claims, Po Box 7051, Utica, NY 13504-7051
 15193085* ++DISCOVER FINANCIAL SERVICES LLC, PO BOX 3025, NEW ALBANY OH 43054-3025
 (address filed with court: Discover Financial, Attn: Bankruptcy Department, Po Box 15316, Wilmington, DE 19850)
 15193087* +Nelnet, Attn: Bankruptcy Claims, Po Box 82505, Lincoln, NE 68501-2505
 15193088* +Omega Federal Cr Un, 206 Seibert Rd., Pittsburgh, PA 15237-3700
 15193089* +Omega Federal Credit, 429 Forbes Avenue, Pittsburgh, PA 15219-1622
 15193090* ++PNC BANK, 500 FIRST AVE P7-PFSC-02-F, PITTSBURGH PA 15219-3129
 (address filed with court: PNC, Attn: Bankruptcy, 500 First Ave P7-Pfsc-02-F, Pittsburg, PA 15219)
 15193092* +Telecom Self-reported, Po Box 4500, Allen, TX 75013-1311
 15193094* +Utility Self-reported, Po Box 4500, Allen, TX 75013-1311

District/off: 0315-2

User: gamr
Form ID: 149

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Total Noticed: 27

Date Rcvd: Mar 05, 2020

***** BYPASSED RECIPIENTS (continued) *****
15193095* +Verizon, Verizon Wireless Bk Admin, 500 Technology Dr Ste 550,
Weldon Springs, MO 63304-2225

TOTALS: 1, * 13, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address
pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Mar 07, 2020

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on March 5, 2020 at the address(es) listed below:

Albert G. Reese, Jr. on behalf of Debtor Nakia Henderson areese8897@aol.com,
agreese8897@gmail.com;r41196@notify.bestcase.com;agrlaw8897@gmail.com
James Warmbrodt on behalf of Creditor Deutsche Bank National trust Company, as Trustee for
FFMLT Trust 2006-FF3, Mortgage Pass-Through Certificates, Series 2006-FF3 bkgroup@kmlawgroup.com
Keri P. Ebeck on behalf of Creditor Duquesne Light Company kebeck@bernsteinlaw.com,
jbluemle@bernsteinlaw.com
Office of the United States Trustee ustpregion03.pi.ecf@usdoj.gov
Ronda J. Winnecour cmecf@chapter13trusteedpa.com

TOTAL: 5